

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	No 4:17-cr-15 ALM/KPJ
	§	
JOSEPH DAVID MODICA	§	

ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT

The Court referred this matter to the Honorable Kimberly C. Priest Johnson, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Johnson conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued her Findings of Fact and Recommendation on Guilty Plea before the United States Magistrate Judge Kimberly C. Priest Johnson. The magistrate judge recommended that the Court accept the Defendant's guilty plea. She further recommended that the Court adjudge the Defendant guilty of Count One the Indictment filed against the Defendant.

The parties have not objected to the magistrate judge's findings. The Court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge Kimberly C. Priest Johnson are **ADOPTED**. The Court accepts the Defendant's plea but defers acceptance of the plea agreement until after review of the presentence report. It is further **ORDERED** that in accordance with the Defendant's guilty plea and the magistrate judge's findings and recommendation, the Defendant, Joseph David Modica, is adjudged guilty of the charged offense under Title 18, United States Code, Section 922(k).

SIGNED this 31st day of July, 2017.

A handwritten signature in black ink, reading "Amos Mazzant". The signature is written in a cursive style with a horizontal line underneath it.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE